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## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, July 24, 2006, at 12:30 p.m.

## Senate

FRIDAY, JULY 21, 2006

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, sustainer of our lives, give us courage to not run from difficulties. Help us to see that problems and challenges come with a life of service. In spite of burdens, show us the joys to come that will make the sacrifices worthwhile.

Infuse our Senators with the power of self-denying love. Empower them to help build not only a safer but also a more just world.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JOHNNY ISAKSON led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 21, 2006.

### To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Mr. ISAKSON thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CHILD CUSTODY PROTECTION ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of S. 403, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 403) to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. FRIST. Mr. President, in a few minutes, we will begin consideration of S. 403, the Child Custody Protection Act. Over the last 2 days, we have been working on an agreement which would

allow us to conclude that bill on Tuesday. I hope we will be able to work out the final details of that agreement early today, and at that point in time I will announce the schedule for the child custody protection bill for next week.

We had a remarkable day yesterday, finishing last night the debate and vote on the voting rights reauthorization bill, four judges, the child predator legislation, and therefore I announced no rollcall votes for today. I will be updating Members as to Monday and Tuesday's schedules shortly, after we work out a unanimous-consent agreement on several matters for early next week.

### SENATE ACCOMPLISHMENTS

Mr. FRIST. Mr. President, in walking over here just a few moments ago, I ran into my counterpart from the Australian Senate, and we were commenting—or he was commenting—he said: You had a productive day yesterday. And I said: Indeed, we had a very productive day, not only yesterday but over the course of this week.

On Monday and Tuesday, we had a very important debate, a powerful debate on stem cell research, a debate which is uncomfortable to a lot of people because it addresses so strongly that nexus between ethics and morality and religion and faith with science, advancing science, which is moving at breathtaking speed, thank goodness. As a scientist, I see great hope in those dreams which one day can become realities for cures and for treatments that come from the field of science. The issues are tough, though, but very important for us to have in this body, representing the 280 million people

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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around the country, because science will continue to advance and we do have the opportunities to understand the molecular and cellular basis of disease in a way that will improve the lives of everybody listening to me right now. So it is a very important debate.

We will increasingly have those sorts of issues come before this body. It used to be that we would hit these tough ethical issues in science about once every 10 years, and it has gotten down to about once every 5 years, and I predict—again, this is good news because science is developing so quickly, medical science—that we will be debating those issues about once every year. So this body needs to get used to it, get accustomed to it.

We did pass the Fetus Farming Prohibition Act overwhelmingly. The President has already signed that bill into law.

We passed the Stem Cell Therapies Enhancement Act this week, which supports alternative—or alternate—ways of developing these very powerful embryonic stem cell-like cells, what we call pluripotent cells, to support the type of research that can derive those pluripotent cells, short of having to dismember an embryo—exciting research. The House has not yet acted on that particular bill. I hope they do so in the near future so that the President can sign it into law, so that we can further support our research dollars in what to me is very exciting research that, in many ways, if successful—and I believe it will be—will some day eliminate the more contentious debate of having to derive embryonic stem cells from blastocysts themselves.

We also passed the Stem Cell Research Enhancement Act, a bill I supported. It was not unanimously supported in this body, but there was overwhelming support in this body. I feel strongly that this particular bill, which supports embryonic stem cell research for blastocysts that are going to be discarded with 100 percent certainty, clearly falls within certain moral and ethical guidelines, and that bill passed I think by 63 votes in the Senate.

On Tuesday evening, we shifted a bit and expressed our support for Israel by passing S. Res. 534 by unanimous consent, expressing strong support in this body for Israel. Hezbollah and Hamas are terrorist organizations, confirmed enemies of the United States, and it is important that they and their state sponsors realize we will stand with Israel and hold them accountable for their actions. This body spoke loudly, boldly, clearly on Tuesday evening.

Later Tuesday evening and on Wednesday, we addressed the Water Resources Development Act under the superb leadership of Chairman JIM INHOFE and Senator KIT BOND and others in the body. But I told Chairman INHOFE again and again that this bill, which I strongly support, which engages and further supports conservation and development of water and water-related resources, which

strengthens our Nation's waterways and the infrastructure of our waterways, is going to be a tough bill. There are going to be too many amendments; it is going to take a long time on the floor. But by working very hard in a bipartisan fashion, we limited the number of amendments to the substantive ones and brought it to the floor in a very reasonable, very efficient period of time, so we were able to address that important issue.

Then, as I mentioned earlier, yesterday we reauthorized the expiring provisions of the Voting Rights Act. As we all talked about, we have come a long way in 41 years since it was first enacted. We put aside whatever partisan differences there might be to ensure that discrimination at the voting booth remains a relic of the past, to ensure that no American citizen and no election law of any State could deny access to the ballot box because of race or ethnicity or language minority status. We have ensured that progress continues, that we are protecting the civil liberties of each and every American.

Protecting the vulnerable—that is what the Voting Rights Act did 41 years ago, and that is what the Adam Walsh Child Protection and Safety Act will soon do. Last night, we passed that Adam Walsh bill as well. This bill arguably is the most comprehensive child crime and protection legislation in recent history.

The Adam Walsh bill establishes a national sex offender registry which is publicly available and which is searchable by ZIP Code. Parents shouldn't have to live in fear that a neighbor somewhere down the street is waiting for an opportunity to victimize their children. Now parents are going to have those tools they need to protect their children from harm.

Last night, late last night at about 11 o'clock, I received a phone call from two individuals who have worked with Child Help, who started this organization called Child Help, and their call was to congratulate this body for addressing a specific issue that was also in the Adam Walsh bill, and that is the creation of a national child abuse registry. The bill also toughens the penalties for crimes against children, and it cracks down on the growing crisis of Internet predators and child pornography—huge progress in passing this particular bill. It will go to the House of Representatives in the early part of next week, and I am very hopeful the President will be able to sign that bill by July 27, which is the very tragic anniversary of the death of Adam Walsh. But out of that tragedy, if the President signs the bill on that day, there is great hope and a great willingness to address and confront an issue we know is destroying people's lives, with effective tools to combat the tragedies that occur every day in this country in a direct way.

Judicial nominations last night: We confirmed four exceptionally qualified

nominees to the Federal bench: Neal Gorsuch, Bobby E. Shephard, Daniel Porter Jordan III, and Gustavo Antonia Gelpi. Next week, we are going to continue our constitutional duty of advice and consent in nominations and take up Jerome Holmes for the Tenth Circuit.

Today as we open, we are beginning debate on legislation that protects vulnerable young women from exploitation. It is the Child Custody Protection Act. This bill prohibits taking a minor across State lines, from State to State, for an abortion in circumvention of a particular State law, and it does so by requiring parental notification for that child's abortion.

Right now, the victims of such exploitation have absolutely no means of restitution within our legal system. It is time to fix that. Thus, we are taking that bill to the floor to do just that. We will have that debate over the course of the morning—we won't be able to complete that debate today—and we will have some understanding here shortly in terms of how that debate will be conducted in the early part of next week.

Next week is going to be a busy week. There will be a lot going on over the course of the week and many challenges in the weeks ahead. We have to finish the Child Custody Protection Act next week, and we have to confirm the nomination of Jerome Holmes.

Last night, language was finalized on another very important issue; that is, energy. I say energy is important because it has national security implications, and it affects each individual in this body and their families and families all across America because it will impact over the long term the price of gas, the price of natural gas, and the price of energy in this country. The issue is deep sea energy exploration in a region called Area 181 in the Gulf of Mexico.

Americans are feeling the pain at the pump. They are feeling it each and every day. And they expect us to act. It is interesting that in that area of 181 and just south of that in an area called 182 in the Gulf of Mexico, there is estimated to be over 1.2 billion barrels of oil—1.2 billion barrels of oil—that would be subjected potentially to exploration; 5.8 trillion cubic feet of natural gas in that area. That is how important it is to obtain that supply. We all know that pricing is a product of supply and demand and that new influx of homegrown, domestic supply will have an impact.

Before the August recess, we need to take up the Department of Defense appropriations. We need to make sure that our troops overseas do have the equipment and technology they need to be safe and successful.

As all of our colleagues know, we are addressing, every day, pensions. We will have that legislation ready before recess. We also need to address the issues surrounding port security, to further secure our homeland, as well as

small business health plans, which also have a direct impact, similar to what we are doing in energy, in affecting the cost of living that squeezes everyday Americans.

If we can lower those health care costs, make health care both affordable and available, that will take some of that squeeze off individuals and their families and they will be able to benefit from what we know is a very productive, growing economy out there with over 5.4 million jobs created in the last 2½ years and unemployment at historically low—4.6 percent—levels. The average American doesn't quite feel how good our economy is because of energy prices, which we are going to address, and because of health care costs, which we are going to address. Americans need to know they are safe and secure. They need to know their futures are safe and that their health care is affordable and secure.

We have a lot of issues to address. Again, we have had a very productive week. If we continue that productivity we will be able to address those issues. It is our job in the Senate to deliver these meaningful solutions to the challenges and the needs of people across this country. It is our duty and our privilege to do just that, and I am confident, by continuing the progress we made this week, that we will be able to do just that.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### CHILD CUSTODY PROTECTION ACT

Mr. SESSIONS. Mr. President, I am glad the majority leader has called up and allowed us to consider the Child Custody Protection Act today. I was involved, in 1998, when then-Senator Spence Abraham, later Secretary of Energy Spence Abraham, offered this bill. We had a press conference and made a number of efforts to pass it and always had a good deal of support but, frankly, to my frustration and surprise, it never became law. It has, in every respect, strong support among the American people and in the Congress.

I am pleased that Senator JOHN ENGLISH of Nevada has taken up this piece of legislation. He has directed his considerable talents to pressing it forward. We now have it on the floor. We will soon have a vote on it. I believe it should pass. I expect it to pass. I think those who would object to it have a high burden to show what is unreasonable about the legislation that is before us today.

The Child Custody Protection Act deals with an important subject. It

deals with how young girls are being secretly taken across State lines for the purpose of abortion, without the consent of their parents or even the knowledge of their parents, in violation of the laws of the State in which they live. Forty-five States have enacted some sort of parental consent laws or parental notification law. By simply secreting a child across State lines, one can frustrate the State legislature's rules. It is, in fact, effectively subverting and defeating valid, constitutionally approved rights parents have with regard to being involved in the health care of their children, emotionally and physically. It is a very important issue, and I think it is one we need to continue to discuss.

This bill does not in any way deal substantively with abortion or the right to abortion. It does not really expand additional restrictions on abortion. What it does, though, is to stop an abominable practice by which someone—usually an adult, often an adult male who has gotten a young girl pregnant without wanting the parents to know about it—takes them across a State line to some foreign jurisdiction to seek an abortion without the parents' involvement, an abortion that could not be performed in their home State without the approval of the parent.

In fact, the abortion clinics in those States know that they must have a parent's consent. They seek that consent. If they don't have it, they don't perform the abortion—at least most of them don't. That is what the law is and that is what the situation is. But that is being subverted by moving them across the State line.

I submit this is a commonsense proposal. It is consistent with Federal prohibitions on interstate transportation, in violation of law, and it is something we should act on now. It is past due, in fact.

I submit the American people care about this issue. It is something that is important. And well they should because they love their daughters. They care about them. They will be involved with them medically, physically, and emotionally the rest of their lives. It won't be some abortion clinic in some distant State that will be involved with their emotional problems, their psychological problems, their physical problems, which arise from having had an abortion. The parents are the ones who care about their child and have the responsibility to raise her.

As we all know, a child cannot be given an aspirin in a school without parental consent. I have heard recently that you can't even give them sunscreen, in some schools, without parental consent. So we have this kind of legal procedure for a child's medical protection, but we have a circumstance in which a valid parental consent for a very serious procedure such as an abortion can be conducted without parental consent if you go across State lines and avoid the existing State law in the home State.

The Supreme Court, I hasten to add, has considered parental consent laws. They have considered a number of those cases. Parental consent laws have been enacted in many big States such as Pennsylvania and Texas. In *Planned Parenthood v. Casey*, the Supreme Court of the United States upheld consent laws and said they are valid restrictions on abortion. This is not too much of a restriction or an undue burden.

They also say that if somehow the parent is a problem—if there is a question of incest or child abuse or dysfunctional parents—there must be a judicial procedure which allows a judge to bypass the parental consent requirement of that State. So all the State laws in existence that require parents to be notified have a judicial bypass option. If a child does not believe they could tell their parents for whatever reason, they can go to a court and seek court approval without telling that parent, if there is a real basis for it.

In fact, this legislation provides in unusual circumstances that judicial bypass would take place. It is responsible in that regard.

The ability of parents to be involved in the health of their children is a fundamental parental right. It is being undermined today—and we ought to strengthen that right and that responsibility.

In fact, one of the great threats to our Nation is legal undermining of parental rights and parental abdication of responsibility for their children and how they develop. We need to strengthen families, we need to strengthen the responsibility of parents, and we need to protect children. We need better involvement of parents with their children.

Some say this is painful, if we required young people to tell their parents that they are pregnant. But I submit to you that out of that pain can come healing, can come good decisions, can come a change in behavior, a recognition that a child is in trouble and has problems, a recognition by parents, perhaps, that they need to be more involved and more engaged in their children's activities.

How is that bad? How is it bad that a child would be required to engage with their parents once they get in this kind of serious trouble? We are talking about minor children, minor girls, often taken advantage of by much older men.

I think it is the right thing to do. But regardless of that, regardless of how you feel about parental consent, it is State policy by State laws that have been passed in States throughout this Nation that parents should be informed, and in some cases have consent. These constitutional State laws are being undermined in a real way. I will talk about that in a minute and show you some points on it. But it is a very real problem. It is not imaginary.

Let's look at some of the advertisements, fliers, and brochures that are